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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,664	07/12/2001	Jin Soo Lee	LGE-011	2101
34610	7590	01/26/2005	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			PATEL, DHAIRYA A	
			ART UNIT	PAPER NUMBER
			2151	

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/902,664

Applicant(s)

LEE ET AL.

Examiner

Dhairya A Patel

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-27 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claim 1-20 are, drawn to an apparatus for processing description information of multimedia data, comprising a server adding description information to multimedia, a terminal transmitting/receiving multimedia data to/from the server classified in class 709, subclass 203.
 - II. Claims 21-23 are, drawn to a method for processing description information of multimedia data, comprising classifying description information into common characteristic information commonly applicable to multimedia data and inherent characteristic information inherently applicable to the multimedia data classified in class 709, subclass 231.
 - III. Claims 24-27 are drawn to a method for processing description information of multimedia data, comprising comparing a program ID of displayed multimedia data with a program ID stored in a memory unit when the multimedia data is displayed on a terminal classified in class 709, subclass 234
2. The inventions are distinct, each from the other because of the following reasons:

Inventions I, II and III are unrelated. In the instant case the different inventions as group I claims 1-20 are directed to an apparatus for processing description information of multimedia data, comprising a server adding description information to

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multimedia, a terminal transmitting/receiving multimedia data to/from the server lacking a method for processing description information of multimedia data, comprising classifying description information into common characteristic information commonly applicable to multimedia data and inherent characteristic information inherently applicable to the multimedia data and comparing a program ID of displayed multimedia data with a program ID stored in a memory unit when the multimedia data is displayed on a terminal. Group II claims 21-23 are directed to a method for processing description information of multimedia data, comprising classifying description information into common characteristic information commonly applicable to multimedia data and inherent characteristic information inherently applicable to the multimedia data lacking comparing a program ID of displayed multimedia data with a program ID stored in a memory unit when the multimedia data is displayed on a terminal and an apparatus for processing description information of multimedia data, comprising a server adding description information to multimedia, a terminal transmitting/receiving multimedia data to/from the serve. Group III claims 24-27 are directed to a method for processing description information of multimedia data, comprising comparing a program ID of displayed multimedia data with a program ID stored in a memory unit when the multimedia data is displayed on a terminal lacking classifying description information into common characteristic information commonly applicable to multimedia data and inherent characteristic information inherently applicable to the multimedia data and an apparatus for processing description information of multimedia data, comprising a

server adding description information to multimedia, a terminal transmitting/receiving multimedia data to/from the server.

3. These inventions are distinct for the reasons given above, and the search required for each Group is different and not co-extensive for examination purpose. For example, the searches for the four inventions would not be co-extensive because these groups would require different searches on PTO's classification class and subclass as following.

a) The Group I search (claims 1-20) would require use of class 709 subclass 203 (not require in invention II and III).

b) The Group II search (claims 21-23) would require use of class 709 subclass 231 (not require in invention I and III).

c) The Group III search (claims 24-27) would require use of class 709 subclass 234 (not require in invention I and II).

4. A telephone call was made to Mr. Mark Fleshner on January 24, 2005 to address a possibility of restriction requirement, but did not result in an oral election being made.

5. Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

6. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim.

remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhairya A Patel whose telephone number is (571) 272-4066. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAP



ZARNI MAUNG
SUPERVISORY PATENT EXAMINER